

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

August 28, 2009

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.:97OD-266

Oahu

Sale of Remnant to Dana K. Lum Revocable Living Trust, Brenda M.H. Blake,
Wanda L. Hanson and Lana L.L.K. Min; Kaneohe, Koolaupoko, Oahu, Tax Map
Key:(1) 4-5-038:013.

APPLICANT:

Dana K. Lum Living Revocable Trust, Brenda M.H. Blake, Wanda L. Hanson and Lana
L.L.K. Min, as Tenants in Common, whose mailing address are 45-468C Kamehameha
Highway, Kaneohe, Hawaii 96744.

LEGAL REFERENCE:

Section 171-52, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Halekou-Waikailuakai Homesteads situated at Kaneohe,
Oahu, identified by TMK (1) 4-5-038:013, as shown on the attached map labeled Exhibit
A.

AREA:

2,500 square feet, more or less.

ZONING:

State Land Use District: Urban
County of Honolulu LUO: R-5 Residential

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Vacant and unencumbered.

CONSIDERATION:

One-time lump sum payment of fair market value to be determined by independent or staff appraiser, subject to review and approval by the Chairperson.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

Not applicable. Subject lands are to be conveyed to abutting landowner(s) and will become privately owned land at that point.

DCCA VERIFICATION:

Not applicable. The Applicant as a landowner is not required to register with DCCA.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Pay for an appraisal to determine the one-time payment of fair market value for the remnant; and
- 2) Consolidate the remnant with the Applicant's abutting property through the County subdivision process.

Note: The subject state property is described in State survey map CSF No. 12292.

REMARKS:

Pursuant to section 171-52, HRS, a remnant is defined as "a parcel of land economically or physically unsuitable or undesirable for development or utilization as a separate unit by reason of location, size, shape, or other characteristics." The subject parcel has been determined to be a remnant by this definition for the following reasons.

The subject property was used as a triangulation station and is landlocked, consisting of 2,500 square feet, which is located in the middle of the applicant's property and has no legal access.

According to a letter dated October 7, 1955 from the State Surveyor, the original triangulation station was destroyed many years ago. The rapid development in the locality obstructs the sight lines which makes the site not suitable for triangulation station purpose.

Applicants are the owners of parcel (1) 4-5-038:012 as staff has confirmed by City and County of Honolulu Real Property Tax Division and Department of Planning and Permitting. There are no other abutting properties to the subject remnant parcel.

The Applicants have not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

Department of Account and General Services, Survey Division, Engineering Division, Department of Hawaiian Home Lands, Department of Agriculture, Department of Planning and Permitting, Department of Facility Maintenance, Board of Water Supply and Office of Hawaiian Affairs all have no objections to the subject request.

There have been no other inquiries or any other pertinent issues or concerns to the subject property.

Staff has no objections to this request.

RECOMMENDATION:

That the Board:

1. Find that the subject lands are economically or physically unsuitable or undesirable for development or utilization as a separate unit by reason of location, size, shape, or other characteristics and, therefore, by definition is a remnant pursuant to Chapter 171, HRS.
2. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
3. Authorize the subject requests to be applicable in the event of a change in the ownership of the abutting parcel described as Tax Map Key (1) 4-5-038:012, provided the succeeding owner has not had a lease, permit, easement or other disposition of State lands terminated within the last five (5) years due to non-compliance with such terms and conditions.
4. Authorize the subdivision and consolidation of the subject remnant by the Applicants.
5. Subject to the Applicants fulfilling all of the Applicant Requirements listed above, authorize the sale of the subject remnant to Dana K. Lum Trust, Brenda M.H. Blake, Wanda L. Hanson and Lana L.L.K. Min, covering the subject area under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

- a. The standard terms and conditions of the most current remnant form, as may be amended from time to time;
- b. Review and approval by the Department of the Attorney General; and
- c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,


for Steve Lau
Land Agent

APPROVED FOR SUBMITTAL:

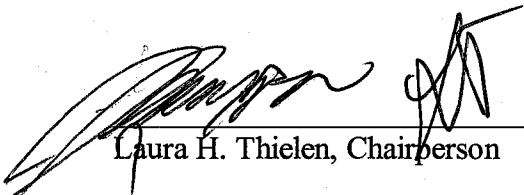
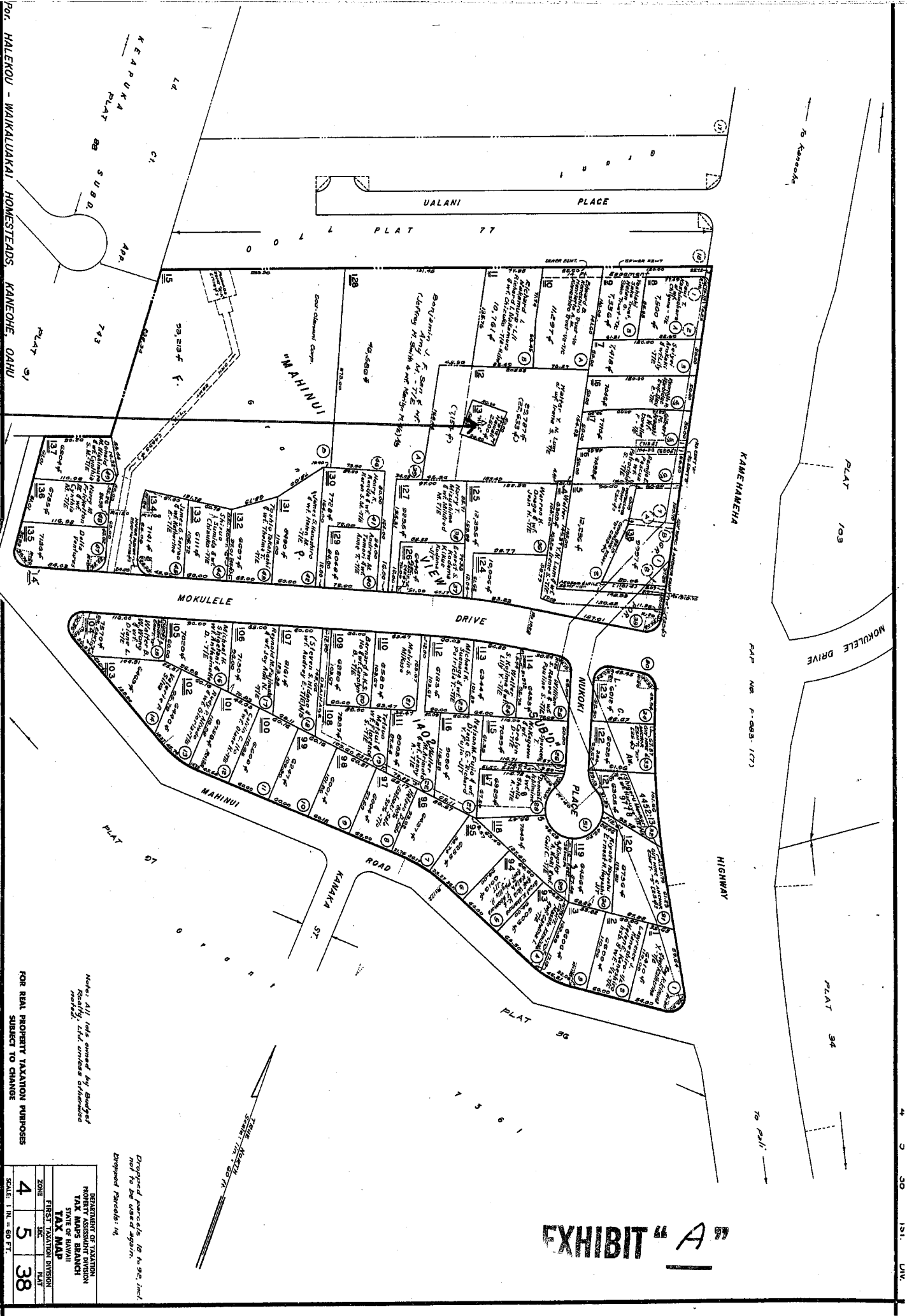

Laura H. Thielen, Chairperson

EXHIBIT "A"



Note: All info owned by Buyer
 Realty, Ltd. unless otherwise
 noted.

FOR REAL PROPERTY TAXATION PURPOSES
 SUBJECT TO CHANGE

Droped parcels 18 to 95, incl
 not to be used again.
 Dropped parcels 18

DEPARTMENT OF TAXATION TAX MAPS BRANCH STATE OF HAWAII TAX MAP			
ZONE	SEC.	PLAT	
4	5	38	
SCALE: 1 IN. = 60 FT.			

5487527
 TMK:(1)4-5-038:013

P.O. HALEKOU - WAIKALUAKAI HOMESTEADS, KANEHE, OAHU